

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 05-CR-130

-vs-

**CARSON J. JONES,
a/k/a CARSON JULIUS JONES, JR.,**

Defendant.

ORDER

The defendant, Carson J. Jones ("Jones"), brings a motion to withdraw his guilty plea and instant objection to the Magistrate Judge's Recommendation to this Court on August 9, 2005. Jones requests to withdraw his guilty plea as to Counts two and three of a three-count indictment.

The Court has received briefs from Jones and the government on the motions. The Court has read these briefs and other matters pertinent to these motions and rules as follows.

Jones's motions will be denied. Jones's motion to withdraw his guilty pleas is without any fair or just reason for doing so. In addition, Jones's request to now challenge the Magistrate Judge's ruling is untimely. Finally, even if Jones were allowed to withdraw his pleas, he would not prevail in overturning the Magistrate's Recommendation to this Court.

Therefore, the defendant's motions are, as aforesaid, **DENIED**.

Dated at Milwaukee, Wisconsin, this 15th day of December, 2005.

SO ORDERED,

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
Chief Judge